

REMARKS

Reconsideration of the present application is respectfully requested in view of the following remarks. Prior to entry of this response, Claims 1-9, 11-35, 37-61, and 63-68 were pending in the application, of which Claims 1, 28, 52, 60, and 61 are independent. In the Office Action dated June 24, 2008, Claims 1-9, 11-35, 37-61, and 63-68 were rejected under 35 U.S.C. § 103(a). Following this response, Claims 1-9, 11-12, 15-35, 37-38, 41-61, and 63-68 remain in this application with Claims 13-14 and 39-40 being canceled without prejudice or disclaimer. Applicants hereby address the Examiner's rejections in turn.

I. **Interview Summary**

Applicants thank Examiner Salad for the courtesy of a brief telephone discussion on August 11, 2008, requested by the undersigned to discuss the rejection of the claims under 35 U.S.C. § 102(e). During the discussion, Applicants stated that a rejection of Claims 1-9, 11-21, 23-35, 37-61, and 63-68 under 35 U.S.C. § 102(e) is improper. In agreement, the Examiner declared the rejection under 35 U.S.C. § 102(e) a mistype and stated that the rejection should have been issued under 35 U.S.C. § 103(a). Accordingly, in Applicants' response to the Office Action dated June 24, 2008, the rejection of Claims 1-9, 11-21, 23-35, 37-61, and 63-68 under 35 U.S.C. § 102(e) is considered as a rejection under 35 U.S.C. § 103(a).

Applicants thank Examiner Salad for the courtesy of a telephone interview on September 4, 2008, requested by the undersigned to discuss the rejection of the current claims under 35 U.S.C. § 103(a). During the interview, Applicants asserted that the cited references do not render obvious the claims as currently amended. In agreement, the Examiner stated that the claims overcome the cited references, but that an updated search would be necessary. No agreement was reached regarding patentability.

II. Rejection of the Claims Under 35 U.S.C. § 103(a)

In the Office Action dated June 24, 2008, the Examiner rejected Claims 1-9, 11-21, 23-35, 37-61, and 63-68 under 35 U.S.C. § 103(a) as being unpatentable over U.S. Patent No. 6,144,991 ("*England*") in view of U.S. Pat. Pub. No. 2002/0019825 ("*Smiga*") and U.S. Patent No. 6,499,053 ("*Marquette*"). Furthermore, the Examiner rejected Claim 22 under 35 U.S.C. § 103(a) as being unpatentable over *England* and *Smiga* in view of U.S. Patent No. 6,404,746 ("*Cave*"). Claims 1, 28, 52, 60, and 61 have been amended, and Applicants respectfully submit that the amendments overcome this rejection and add no new matter.

Amended Claim 1 is patentably distinguishable over the cited art for at least the reason that it recites, for example, "create a filtered channel, wherein the filtered channel comprises an aggregation of selected real time chat channels, the selected real time chat channels being selected by the end user according to at least one of the following: content associated with the plurality of real time chat channels, at least one user name associated with the plurality of real time chat channels, and previously stored criteria comprising at least one of the following: a specified content and at least one

specified user name, wherein the previously stored criteria is used to monitor the plurality of real time chat channels and provide information associated with the stored criteria." Amended Claims 28, 52, 60, and 61 each include a similar recitation. Support for these amendments can be found in the specification at least in paragraphs [0081]-[0083].

In contrast, and as stated by the Examiner, *England* and *Smiga* do not disclose a channel manager configured to allow an end user to manage multiple real time chat channels. (See Office Action, page 4, lines 12-13.) As further stated by the Examiner, *England* and *Smiga* fail to disclose channel managing operations, such as channel review and creation. (See Office Action, page 4, lines 12-13.) The Examiner relies on *Marquette* to overcome *England's* and *Sigma's* deficiencies, contending that *Marquette* discloses channel review and creation. Applicants respectfully submit that, even if the Examiner's contention were true, *Marquette*, like *England* and *Smiga*, still fails to disclose creating a filtered channel comprising multiple real time chat channels.

For example, *Marquette* merely discloses a chat system that includes a chat server and multiple chat clients. (See col. 2, lines 2-4.) Each chat client in *Marquette* is configurable, in response to instructions from a chat server, to operate in either a master mode or a slave mode. (See col. 2, lines 5-7.) In *Marquette's* master mode, the chat client may initiate a chat session. (See col. 2, lines 8-9.) In *Marquette's* slave mode, the chat client may not initiate the chat session and may only participate in a chat session initiated by another chat client operating in the master mode. (See col. 2, lines 9-11.) Nowhere in *Marquette* does it disclose a filtered channel comprising multiple real time chat channels. Consequently, *Marquette*, like *England* and *Smiga*, fails to disclose

at least filtered channel creation, much less filtered channel selection criteria. Rather, *Marquette* merely discloses chat servers and chat clients operative in either a master or slave mode.

Combining *England* with *Smiga* and *Marquette* would not have led to the claimed invention because *England*, *Smiga*, and *Marquette* either individually or in combination, at least do not disclose or suggest “create a filtered channel, wherein the filtered channel comprises an aggregation of selected real time chat channels, the selected real time chat channels being selected by the end user according to at least one of the following: content associated with the plurality of real time chat channels, at least one user name associated with the plurality of real time chat channels, and previously stored criteria comprising at least one of the following: a specified content and at least one specified user name, wherein the previously stored criteria is used to monitor the plurality of real time chat channels and provide information associated with the stored criteria,” as recited by amended Claim 1. Amended Claims 28, 52, 60, and 61 each includes a similar recitation. Accordingly, independent Claims 1, 28, 52, 60, and 61 each patentably distinguishes the present invention over the cited art, and Applicants respectfully request withdrawal of this rejection of Claims 1, 28, 52, 60, and 61.

Dependent Claims 2-9, 11-12, 15-27, 29-35, 37-38, 41-51, 53-59, and 63-68 are also allowable at least for the reasons described above regarding independent Claims 1, 28, 52, and 61, and by virtue of their respective dependencies upon independent Claims 1, 28, 52, and 61. Accordingly, Applicants respectfully request withdrawal of this rejection of dependent Claims 2-9, 11-12, 15-27, 29-35, 37-38, 40-51, 53-59, and 63-68.

III. Conclusion

In view of the foregoing remarks, Applicants respectfully request the reconsideration and reexamination of this application and the timely allowance of the pending claims. The preceding arguments are based only on the arguments in the Final Office Action, and therefore do not address patentable aspects of the invention that were not addressed by the Examiner in the Office Action. The claims may include other elements that are not shown, taught, or suggested by the cited art. Accordingly, the preceding argument in favor of patentability is advanced without prejudice to other bases of patentability. Furthermore, the Office Action contains a number of statements reflecting characterizations of the related art and the claims. Regardless of whether any such statement is identified herein, Applicants decline to automatically subscribe to any statement or characterization in the Office Action.

Please grant any extensions of time required to enter this amendment and charge any additional required fees to our Deposit Account No. 13-2725.

Respectfully submitted,
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